

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY,

Plaintiff,

vs.

FUNAI ELECTRIC COMPANY, LTD.,  
FUNAI CORPORATION, INC.,  
FUNAI SERVICE CORPORATION and  
P&F USA, INC.,

Defendants.

Civil Action No. 12-10901-DJC

**AFFIDAVIT OF SCOTT MCCONCHIE REGARDING  
SERVICE OF PROCESS ON ALL DEFENDANTS**

Scott McConchie, on oath, deposes and says as follows:

1. I am an attorney at the firm of Griesinger, Tighe & Maffei, LLP. I represent the plaintiff, Massachusetts Institute of Technology ("MIT"), in this action. I am a member in good standing of the bar of the Commonwealth of Massachusetts.

2. I submit this affidavit pursuant to Fed. R. Civ. P. 4(l)(1) to establish that service has been made on Defendants Funai Electric Company, Ltd., Funai Corporation, Inc., Funai Service Corporation, and P&F USA, Inc. (collectively, "Defendants").

3. The Complaint was filed on May 18, 2012. Since that time the Defendants and MIT have been engaged in negotiations to resolve the litigation.

4. The negotiations are ongoing, but in the interim, the Defendants have agreed to waive formal service of the Complaint. The parties have further agreed that (a) service of process shall be deemed effective as of September 10, 2012, and (b) the Defendants shall have until November 29, 2012 to respond to the Complaint.

5. Copies of the agreement between MIT and each of the Defendants are attached hereto as Exhibit A.

Signed under the pains and penalties of perjury this 6<sup>th</sup> day September, 2012.

/s/ Scott McConchie  
Scott McConchie

**Certificate of Service**

I, Scott McConchie, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on September 6, 2012.

/s/ Scott McConchie  
Scott McConchie